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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/194,367 11/24/98 KARR

C 1003-PUS

EXAMINER

PM32/0321

DENNIS J DUPRAY  
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DENVER CO 80209

PHALL D

ART UNIT

PAPER NUMBER

3662

DATE MAILED:

03/21/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/194,367

Applicant(s)  
Dupray et al

Examiner  
Dao Phan

Group Art Unit  
3662



☒ Responsive to communication(s) filed on Feb 7, 2000

☐ This action is **FINAL**.

☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 2 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 85-179 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 85-138, 140-158, and 163-179 is/are allowed.

☐ Claim(s) \_\_\_\_\_ is/are rejected.

☒ Claim(s) 139 and 159-162 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4, 4 1/2, 5, 7, 8

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. Claims 139, 159-162 objected to because of the following informalities:

As to claim 139, line 5 and 21, "combination of one" is unclear what exact combination is being claimed. How can there be a first combination of one?

As to claim 139, line 5, "combination of one or more of (a) through (c)" is unclear. It appears it should be combination of one or more of (a) through (d).

As to claim 159, line 20, "following location technique (B1) through (B4) is unclear. It appears it should be following location technique (B1) through (B3).

2. Claims 139, 159-162 would be allowable if rewritten or amended to overcome the objection(s).

3. Claims 85-138, 140-158, 163-179 are allowed.

4. The following is an examiner's statement of reasons for allowance: the examiner found no teaching in the prior art that would render obvious the claimed apparatus and method for locating a wireless mobile station including "wherein the first location estimator performs one or more of the following techniques, and determining a resulting location estimate", claim 85, "initiating one or more requests for information", claim 97, "a control for activating a group", claim 100, "second obtaining one or more additional location estimates, and deriving a further location estimate of the mobile station", claim 101, "a location estimate adjuster for deriving, and an output gateway for transmitting", claim 103, "a plurality of location estimators, one or more of which are trainable", claim 106, "providing access to first and second mobile station location estimators", claim 117, "receiving, from each of at least first and second mobile station location

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estimators", claim 119, "receiving, overtime, a plurality of location estimates of the mobile station", claim 121, "first transmitting, when available, a first collection of measurements of wireless signals, and wherein the second location estimator determines a location estimate", claim 126, "generating one or more requests for information", claim 134, "providing first and second mobile station location evaluators", claim 137, "second determining a second location estimate of the mobile station", claim 139, "determining whether a particular one of the location techniques, and determining a second location estimate", claim 140, "providing a plurality of pattern matching location estimators, and receiving wireless signal data", claim 144, "receiving the wireless signal data, and generating one or more location estimates", claim 159, "wherein for a first of the mobile station location estimators, when estimating a location of one of the mobile stations, and a resulting estimator for determining a likely location estimate", claim 163, "an expert system for activating, and a most likely estimator for determining", claim 112, "a signal analyzer for determining, one or more location estimators for providing, and transport means for moving", claim 113, "receiving a location estimate of the mobile station, determining a likely location of the mobile station, and providing information indicative of the likely location information", claim 179.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue


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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao Phan whose telephone number is (703) 306-4167.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-4187.

DP

  
THOMAS H. TARCZA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600